

THE HONORABLE THOMAS S. ZILLY

U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

STRIKE 3 HOLDINGS, LLC, a Delaware
corporation,

Plaintiff,

vs.

JOHN DOE, subscriber assigned IP
address 73.225.38.130,

Defendant.

NO. 2:17-cv-01731-TSZ

**SECOND DECLARATION OF J.
CURTIS EDMONDSON IN SUPPORT
OF MOTION TO QUASH AND FOR
PROTECTIVE ORDER**

JOHN DOE subscriber assigned IP
address 73.225.38.130,

Counterclaimant,

vs.

STRIKE 3 HOLDINGS, LLC,

Counterdefendant.

I, J. Curtis Edmondson, hereby declare under the penalty of perjury under the laws of the
United States of America, the following:

1. I am counsel of record in this case. I am a member of the bar of this Court and a
member of the Patent Bar. I respectfully submit this declaration in support of the Motion to
Quash and for Protective Order in the above-captioned matter. I have personal knowledge of the

1 facts set forth in this declaration and could testify competently to them if called upon to do so.

2 2. S3H has dismissed its sole claim for copyright infringement against Doe. As a
3 result, S3H has no pending claims against Doe or anyone else. S3H's only role in this case is to
4 defend against Doe's counterclaims. S3H nevertheless argues it should be able to take discovery
5 in support of its *dismissed* claim, from both Doe and non-parties, as if S3H had never dismissed
6 its case. This declaration addresses the specific discovery items that S3H argues it should be
7 entitled to seek from Doe's Son.

8 3. S3H seeks discovery from Doe's Son regarding his "personal observations of
9 Defendant infringing Strike 3's works," "discussions with Defendant pertaining to the
10 downloading and distribution of Strike 3's works and other copyrighted material," and "personal
11 knowledge of whether any infringing material was deleted and/or how it was stored." On March
12 15, 2019, Doe produced to S3H the expert report of Michael Yasumoto, who analyzed the hard
13 drive that Doe used during the period of alleged infringement and determined that the hard drive
14 did not contain any of S3H's video files. A true and correct copy of Mr. Yasumoto's report is
15 attached as Exhibit 1.

16 4. S3H also seeks discovery from Doe's Son regarding his "personal observations
17 of Defendant installing and/or using BitTorrent software on one of the nearly 100 computer
18 devices that Defendant has indicated are in the home." But Doe already stated that he used
19 uTorrent many years ago in interrogatory responses served on March 18, 2019. A true and correct
20 copy of Doe's interrogatory responses, redacted to protect his identity, are attached as Exhibit 2.

21 5. Doe requested from S3H all documents with information that would indicate that
22 infringements occurred. Aside from the works, torrent files, a limited number of PCAP's, S3H
23 produced screen printouts from various "forum sites." These forum sites are unrelated to
24 pornography and generally involve fixing computers. All of these printouts were confirmed by
25 Doe. There is no evidence provided by S3H that would connect Doe's Son as a witness.

26 6. S3H also seeks discovery from Doe's Son regarding his "personal knowledge of
27

1 whether Doe Jr. infringed Strike 3's works or enabled Doe Sr. to infringe," his personal
2 knowledge of Doe Jr. and Doe Sr.'s schedules and whether the times they were home match up
3 with the alleged period of infringement, and his personal observations of another member of the
4 household, guest, or visitor using the Internet during the Period of Infringement. But evidence
5 regarding who could have been responsible for infringement is irrelevant to Doe's counterclaims.

6 7. Finally, S3H also seeks discovery from Doe's Son regarding his "personal
7 knowledge of how Defendant's subscriber IP address was registered." But S3H already knows
8 this information. Although the Court's January 25, 2018 order directed the ISP not to disclose
9 Doe's identity to S3H (ECF 8), S3H sought the same information in requests for production. On
10 March 18, 2019, Doe produced documents to S3H that show he is the subscriber of the ISP.

11 I declare under penalty of perjury under the laws of the United States that the foregoing
12 is true and correct.

13 EXECUTED this 3rd day of April, 2019, at Hillsboro, Oregon.

14
15 /s/ J. Curtis Edmondson, WSBA #43795
16 J. Curtis Edmondson, WSBA #43795
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— EXHIBIT 1 —

Honorable Thomas S. Zilly

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

STRIKE 3 HOLDINGS, LLC, a Delaware
corporation,

Plaintiff,

vs.

JOHN DOE subscriber assigned IP address
73.225.38.130,

Defendant.

Case Number: 2:17-cv-01731-TSZ

**EXPERT REPORT OF MICHAEL
YASUMOTO**



DIGITAL FORENSICS EXAMINATION REPORT

Regarding:
Strike 3 Holdings, LLC v. John Doe
Case Number: 2:17-CV-01731-TSZ

Prepared for:
Curtis Edmondson
Edmondson IP Law
3699 NW John Olsen Place
Hillsboro, OR 97124

Prepared by:
Michael Yasumoto
Deadbolt Forensics® LLC
1500 NW Bethany Blvd, #200
Beaverton, OR 97006

March 15, 2019

1 I. Assignment

2 My name is Michael Yasumoto. I was retained on March 6, 2018 by Curtis Edmondson of
3 Edmondson IP Law which represents John Doe. I have been retained to conduct a forensic
4 examination of the defendant's hard drive in this case. Specifically, I have been asked to
5 determine the following. 1) Are any of the movies listed in Plaintiff's complaint located on the
6 Defendant's hard drive?

7 II. Qualifications

8 I hold an MS in Computer Science from the George Washington University (GWU). I am
9 certified in Computer Security by GWU as well as certified in Computer Forensics by Edmonds
10 Community College. My curriculum vitae is attached to this report as Exhibit 1.

11 III. Compensation

12 I am being compensated at a rate of \$250 per hour for my time in this matter. My fees are not
13 contingent upon the outcome of this litigation.

14 IV. Evidence Collection and Analysis

15 I have reviewed the following documents:

- 16 A. Exhibit A to the Complaint, 6 pages, 07/03/18 Document 43-1.
17 B. "PCAP analysis (Case 17-cv-01731-TSZ) v3.xlsx", 1 Worksheet.

18 Imaging

19 I created a forensically sound image of the hard drive listed in Table 1 using a CRU Forensic
20 UltraDock v5.5 write blocker. The hard drive was imaged using X-Ways Forensics (XWF) to
21 create an image in EWF/.E01 format. The device with serial# 9VP05TWX was picked up from
22 Curtis Edmondson's office on 3/6/2018 and returned on 3/9/2018.

Make	Model	Serial#	Hash (SHA1)
Seagate	ST3750528AS	9VP05TWX	C030EFD65D37609FA736FAA2924D6636F96BF4CB

23 Table 1: Defendant's Hard Drive

24

1 Analysis

2 I used XWF version 19.8 SR3 to examine the forensic image. Using XWF, I searched for all video
3 files including deleted files recovered from unallocated space. I conducted file carving, which
4 looks for signatures of certain file types to detect data that may be hidden inside another file or
5 located in unallocated space such as deleted files. The smallest video file referenced in Exhibit
6 A of the complaint is approximately 187 MBs in size. Based on a review of plaintiff's videos,
7 they appear to have an introduction and concluding animation featuring the name of either
8 Tushy, Vixen, or Blacked. I reviewed all recovered and existing video files over 100 MBs in size
9 to determine if any of the video files were Plaintiff's copyrighted works. None of the videos
10 examined appear to be Plaintiff's work based on content and the lack of any Tushy, Vixen, or
11 Blacked animated titles. I also compared the SHA1 hash, which acts as a fingerprint for
12 computer files, and none of the videos examined on defendant's computer were a hash match
13 for the videos listed in Exhibit 3.

14
15 V. Conclusions

16 Plaintiff's Videos Not Found

17 It is my opinion, based on a reasonable degree of scientific certainty, that the movies listed in
18 Exhibit 3 are not located on the storage devices that I examined in Table 1.

19 Basis:

- 20 • None of the video files reviewed from the Defendant's hard drive are the Plaintiff's
21 movies based on video subject matter or SHA1 hash.

22
23 My opinion is based upon the information available at the time of the writing of this report. I
24 reserve the right to expand, amend, or change my opinions upon receipt of additional pertinent
25 information, should it be presented to me for review.

26
27
28 I declare under penalty of perjury that the foregoing is true and correct.

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2

3

Michael Yasumoto 3/15/2019

4

Michael Yasumoto

Date

5

6 Appendix: Exhibit List

7 Exhibit 1:

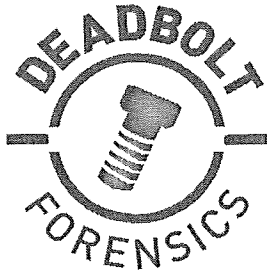
8 Curriculum Vitae for Michael Yasumoto

9 Exhibit 2:

10 FRCP 26(a)(2)(B) Testimony Disclosure for Michael Yasumoto

11 Exhibit 3:

12 Exhibit A to the Complaint, 6 pages, 07/03/18 Document 43-1.



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michael@deadboltforensics.com

Curriculum Vitae: Michael Yasumoto

Experienced expert witness with deposition and trial experience. Worked on over 100 cases and have over 400 hours of specialized forensic training.

Education

Certificate, Digital Forensics	2012
Edmonds Community College; Lynnwood, WA	
M.S., Computer Science	2009
Certificate, Computer Security & Information Assurance	2009
The George Washington University; Washington, DC	
Certificate, Teaching English to Speakers of other Languages (TESL)	2005
Seattle University; Seattle, WA	
B.S., Chemistry: American Chemical Society (ACS) Certified	2004
The University of Washington; Seattle, WA	

Professional Certifications

GIAC Certified Forensic Analyst (GCFA)	2019 – 2023
Global Information Assurance Certification (GIAC)	
GIAC Certified Forensic Examiner (GCFE)	2018 – 2022
Global Information Assurance Certification (GIAC)	
GIAC Advanced Smartphone Forensics (GASF)	2017 – 2021
Global Information Assurance Certification (GIAC)	
Certified Computer Examiner (CCE)	2013 – 2019
The International Society of Forensic Computer Examiners (ISFCE)	
X-Ways Professional in Evidence Recovery Techniques (X-PERT)	2015 – 2021
X-Ways Software Technology	

EnCase Certified Examiner (EnCE) Guidance Software	2014 – 2020
AccessData Certified Examiner (ACE) AccessData	2013 – 2019
Cellebrite Certified Mobile Examiner (CCME) Cellebrite	2014 – 2020
Certified BlackLight Examiner (CBE) BlackBag Technologies	2016 – 2019
Certified Mobilyze Operator (CMO) BlackBag Technologies	2016 – 2019
Certified Data Recovery Expert (CDRE) My Hard Drive Died (MHDD)	2012
Specialized Training	
The X-Ways Forensics Practitioner's Guide DFIR Training, 12 hours	2019
Forensic Operating Systems DFIR Training, 5 hours	2019
101+ Tips & Tricks for X-Ways Forensics DFIR Training, 3 hours	2019
Windows Forensic Environment (WinFE) DFIR Training, 5 hours	2019
Digital Forensics & Incident Response (DFIR) NetWars Tournament SANS, 6 hours	2018
FOR508: Advanced Digital Forensics, Incident Response, and Threat Hunting SANS, 36 hours	2018
Intella Basics: Email Investigation Vound Software, 5 hours	2018
Digital Forensics & Incident Response (DFIR) NetWars Tournament SANS, 6 hours	2017
FOR500: Windows Forensic Analysis SANS, 36 hours	2017

Advanced Testifying Skills for Experts SEAK, 14 hours	2017
How to Start, Build and Run a Successful Expert Witness Practice SEAK, 14 hours	2017
BlackLight Tool Training (BTT) BlackBag Technologies, 16 hours	2016
Digital Forensics & Incident Response (DFIR) NetWars Tournament SANS, 6 hours	2016
FOR585: Advanced Smartphone Forensics SANS, 36 hours	2016
Advanced SQLite AccessData/Syntricate, 21 hours	2016
Mobilyze Tool Training (MTT) BlackBag Technologies, 2 hours	2016
Internet Evidence Finder (IEF) Magnet Forensics: CSA Conference, 1 hour	2016
UMTS/HSPA Technical Overview Qualcomm Wireless Academy, 5 hours	2015
Intro to JTAG & Chip-Off Forensics Binary Intelligence, 35 hours	2015
Linux Forensics AccessData/Syntricate, 7 hours	2015
Intro to Mobile Device Forensics AccessData/Syntricate, 35 hours	2015
Windows 8 Forensics AccessData/Syntricate, 21 hours	2015
X-Ways Forensics II X-Ways Software Technology, 14 hours	2015
JTAG-102 viaForensics, 1.25 hours	2014

Plain Ordinary Telephone Service (POTS) and The Public Switched Telephone Network (PSTN) Teracom Training Institute, 1.5 hours	2014
Wireless Telecommunications Teracom Training Institute, 1.75 hours	2014
X-Ways Forensics X-Ways Software Technology, 28 hours	2014
Memory Forensics X-Ways Software Technology, 7 hours	2014
iOS Forensic Analysis AccessData/Syntricate, 21 hours	2014
Mobile Device Forensics 101 AccessData/Syntricate, 21 hours	2014
Android Malware Analysis AccessData/Syntricate, 7 hours	2014
Mobile Device Examiner Cellebrite (Digital Shield), 35 hours	2014
Android Forensic Analysis AccessData, 21 hours	2014
Blackberry Forensics AccessData, 2.5 hours	2014
SIM Forensic Analysis AccessData, 7 hours	2014
Windows Mobile Forensics AccessData, 1.5 hours	2014
Law 101: Legal Guide for the Forensic Expert National Institute of Justice, 13 hours	2014
Mobile Training – Level 3 Paraben Corporation, 10 hours	2014
BBT-315e: iOS Device Seizure and Analysis BlackBag Technologies, 3 hours	2014

Mobile Phone Examiner Plus 2013
AccessData, 21 hours

JTAG-101 2013
viaForensics, 1.5 hours

User Certification 2013
Oxygen Forensics, 6 hours

Professional Experience

Senior Forensic Examiner 2012 – Present
Deadbolt Forensics LLC; Beaverton, OR

Adjunct Professor 2017 – Present
University of Maryland University College; Adelphi, MD

Mobile Forensics Instructor 2014 – 2016
Syntricate/AccessData; Lindon, UT

Infrastructure Analyst 2011 – 2012
Zumiez Inc.; Everett, WA

System Administrator 2010 – 2011
HopOne Internet Corp; Seattle, WA

Contract System Administrator 2010 – 2010
Pacific Software Publishing, Inc.; Seattle, WA

Graduate Student Assistant 2008 – 2009
George Washington University; Washington, DC

Assistant Language Teacher 2005 – 2007
Interac; Tokyo, Japan

Courses Taught for Syntricate/AccessData

Android Malware Analysis 2016
April 29, 7 hours
London, England

Android Forensic Analysis 2016
April 26-28, 21 hours
London, England

Cell Tower and GPS Technology 2016
April 5-6, 1.5 hours
Portland, Oregon

Mobile Forensics Update 2016
 April 5-6, 1.5 hours
 Portland, Oregon

iOS Forensic Analysis 2016
 March 8-10, 21 hours
 London, England

Android Forensic Analysis 2015
 December 15-17, 21 hours
 Houston, Texas

Mobile Forensics: Hands-On Training 2015
 April 16-17, 9 hours
 San Diego, California

Publications: Author

"Cell Phone Evidence... Often Overlooked" 2018
OTLA Trial Lawyer Magazine Spring 2018: 29-32. Print.

"The Infamous Western Digital Screw" 2012
Washington State HTCIA Newsletter Vol. 1 Iss. 2 (Jul/Aug 2012): 16-17. PDF file.

Publications: Technical Reviewer

Epifani, Mattia, and Pasquale Stirparo. *Learning iOS Forensics – Second Edition* 2016
 Birmingham: Packt, 2016. Print.

Soufiane Tahiri. *Mastering Mobile Forensics* 2016
 Birmingham: Packt, 2016. Print.

Epifani, Mattia, and Pasquale Stirparo. *Learning iOS Forensics* 2015
 Birmingham: Packt, 2015. Print.

Presentations

Computer Forensics 2018
 Old Timers Investigator Society (OTIS), 2 hours
 Portland, Oregon

Mobile Forensics 2018
 Old Timers Investigator Society (OTIS), 2 hours
 Portland, Oregon

Mobile Forensics 2017
 Multnomah Defenders, Inc. (MDI), 1 hour
 Portland, Oregon

Mobile Forensics Alaska Public Defender Agency, 2 hours Anchorage, Alaska	2016
Cellphone Spying Portland Narcissistic Abuse Support Group, 2 hours Portland, Oregon	2016
Digital Forensics ITT Technical Institute, 1 hour Portland, Oregon	2016
Digital Forensics Hack the People, 0.3 hours Portland, Oregon	2015
Mobile Forensics for Investigators Metropolitan Public Defender (MPD), 1.5 hours Hillsboro, Oregon	2014
Digital Forensics Basics: Hidden Evidence on Your PC & Phone Old Timers Investigator Society (OTIS), 2 hours Portland, Oregon	2014
Memberships International Society of Forensic Computer Examiners (ISFCE)	2013 – Present



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FRCP 26(a)(2)(B) Testimony Disclosure: Michael Yasumoto

Trial

State of Oregon v. Leonard Ray Brightmon, No. 18CR13868, (Multnomah County Or. Cir. Oct. 24, 2018)

Trial

Caitlin Thompson v. David R. Tenhulzen, No. 1306-08612, (Multnomah County Or. Cir. Aug. 3, 2018)

Trial

State of Oregon v. Jonhta Durand Hammond, No. 17CR64891, (Multnomah County Or. Cir. Feb. 12, 2018)

Trial

Rosebank Road Medical v. John Does, No. CGC-16-549755, (San Francisco Cal. Super. Dec. 12, 2017)

Deposition

Rosebank Road Medical v. John Does, No. CGC-16-549755, (San Francisco Cal. Super. Dec. 4, 2017)

Rosebank Road Medical v. John Does, No. CGC-16-549755, (San Francisco Cal. Super. Sep. 29, 2017)

Trial

State of Oregon v. Simon Ignacio Garay-Choque, No. 16CR70748, (Washington County Or. Cir. May 5, 2017)

Deposition

Malibu Media, LLC v. John Doe subscriber assigned IP address 76.126.99.126, No. 3:15-cv-04441-WHA, (N.D. Cal. Jan. 31, 2017)

Deposition

Edmund Sullivan v. Yong Sung Kim, No. BC562756, (Los Angeles Cal. Super. Aug. 16, 2016)

Trial

State of Oregon v. Joda Harold Cain, No. C132395CR, (Washington County Or. Cir. Sep. 24, 2015)

Deposition

State of Washington v. Dean Gordon Sizemore, No. 14-1-02555-6, (Clark County Wash. Super. Jul. 14, 2015)

Trial

State of Oregon v. Roger Michael Saunders, No. 14CR20839, (Multnomah County Or. Cir. Jun. 30, 2015)

EXHIBIT A

Exhibit A to the Complaint

Location: Federal Way, WA

IP Address: 73.225.38.130

Total Works Infringed: 87

ISP: Comcast Cable

Work	Hash	Site	UTC	Published	CRO App. File Date	CRO Number
1	1BC8C1ADCAA75C3EC9408C8CCBF5147863205E6C	Tushy	9/5/2017 10:40:33	9/3/2017	9/10/2017	PA0002052851
2	0326E8923C58852725F5A7857833A4CD3E715289	Tushy	5/15/2017 4:40:00	5/6/2017	6/16/2017	PA0002069288
3	039F4779148D3E374D990283A83AC46A0219DAE9	Vixen	5/12/2017 6:25:29	4/19/2017	6/16/2017	PA0002069291
4	0CAB7415EAE003A2C3835DE5FC716759A49040B9	Tushy	7/5/2017 19:58:23	7/5/2017	7/6/2017	PA0002041555
5	0CDEB18021838E8E2A694A7D16D9A45366CFABB6	Blacked	8/8/2017 21:54:29	8/8/2017	8/18/2017	PA0002077679
6	1278F4C4BF0B45678418F6CC8F8844DE4AB68C83	Tushy	5/15/2017 5:03:17	4/26/2017	6/15/2017	PA0002037565
7	1487A26EAAAD70318258AB9F506506A8F293533A	Blacked	5/21/2017 18:02:17	5/5/2017	6/15/2017	PA0002037591
8	18A6F7D0E24D4FA3CC1589DE496D1AD9433CF09B	Blacked	6/20/2017 1:03:31	6/19/2017	7/7/2017	PA0002070823
9	1A032CB38BB2AF87DAF2B239A1A17B6C713EBC26	Blacked	8/12/2017 13:46:39	8/3/2017	8/17/2017	PA0002077671
10	1C2C06D480942F4FE7FDCED4759E93805E02B54B	Tushy	5/24/2017 1:49:12	5/21/2017	6/22/2017	PA0002039282
11	1D1B18BB0C921D6E1A6D148E4542257B42A2469F	Tushy	6/22/2017 8:52:38	6/20/2017	7/7/2017	PA0002070816
12	1D63168E762F9CB41AE4DBD6646599AD0EFF3911	Blacked	7/10/2017 20:05:40	7/9/2017	8/17/2017	PA0002077662
13	1D7E521CD7368013A7F1B28494A2AC43D8F99F0E	Vixen	9/3/2017 5:01:06	9/1/2017	9/15/2017	PA0002052845
14	1D7E721AC3B8D955BBCAD8D62F57AF030BD1F315	Vixen	6/6/2017 10:18:02	6/3/2017	7/7/2017	PA0002070834
15	22883186DAB5FCA92C8513AD939652BCB867FD5C	Tushy	8/21/2017 10:03:46	8/19/2017	10/10/2017	PA0002086140
16	22C377CC65B1695E6470BFAF967C4C825391EF90	Blacked	8/1/2017 8:09:40	7/29/2017	8/11/2017	PA0002046872
17	24D6E127081B069994E81CA544B8FF3E3A0A33D3	Tushy	5/17/2017 6:35:34	5/16/2017	6/22/2017	PA0002039300

18	258961E123E520633A96CDF11E8E6F60E233C816	Vixen	7/24/2017 17:24:34	7/23/2017	8/10/2017	PA0002046877
19	289FE7D65DFCFACB416832D12862105A2762841A	Blacked	5/12/2017 5:45:47	5/10/2017	6/22/2017	PA0002039285
20	31577E16E1B68BF13F30BE538E1BAF66E224726A	Tushy	8/1/2017 5:04:24	7/30/2017	8/11/2017	PA0002075051
21	322F6ABAB019761A6FF3C1211AF75B28137F013F	Vixen	6/9/2017 20:46:58	6/8/2017	7/7/2017	PA0002070832
22	34452073A3328CE2AF5FC73A5A8DDD4141E85B4A	Vixen	8/23/2017 10:51:56	8/22/2017	9/15/2017	PA0002052852
23	374A3B65D604113BB3880FDACE83FD1EFED3CA7C	Tushy	8/15/2017 12:51:18	8/14/2017	8/17/2017	PA0002048391
24	3945FEF635D609C3FB77DD4762FC2570E7E12D7C	Blacked	5/21/2017 16:45:29	5/20/2017	6/22/2017	PA0002039289
25	3F3D4931127C380DD0AA05C298E26438267560BB	Vixen	7/5/2017 4:23:31	6/28/2017	7/7/2017	PA0002070828
26	408577469D1675504E89F205C619738007D08DD9	Blacked	6/9/2017 20:59:45	6/9/2017	7/7/2017	PA0002070825
27	4125860EC76C1E0880F652DA94EB84D375A64436	Tushy	8/5/2017 12:02:40	8/4/2017	8/17/2017	PA0002077666
28	464AB452DA8258FA23BA74830F0D57EE7CA518C5	Tushy	8/26/2017 12:52:10	8/24/2017	9/15/2017	PA0002052837
29	48F5E3FE474EA76DE23D7D0A8F27ADA15F5C98D7	Blacked	7/20/2017 21:22:16	7/19/2017	8/11/2017	PA0002046876
30	4B86BC16D0E5A0983C578B61ED87BC62C55B116A	Vixen	8/14/2017 12:50:09	8/12/2017	8/17/2017	PA0002048373
31	4F0D3D0FD3F88791F4933080453A052BE6924F22	Tushy	10/12/2017 21:12:29	10/8/2017	10/19/2017	PA0002058298
32	4FAE423CFA8C54409A4658429D7CB2B3E0F2E8B1	Vixen	9/27/2017 2:20:50	9/11/2017	9/15/2017	PA0002052839
33	4FF62836FC3C509617EE5DE7658EAABE045C0BA1	Tushy	9/16/2017 16:46:35	9/13/2017	10/10/2017	PA0002086153
34	5003D85013A07470D85A3250EF4B3393B6E2CB04	Tushy	7/12/2017 20:00:00	7/10/2017	8/18/2017	PA0002077678
35	5176733783D1199D43060681D7AE2D4E3B5C9AF9	Blacked	7/19/2017 22:47:58	7/14/2017	8/11/2017	PA0002046878
36	53FF1B4BD8FB69630FE0A67611FE747F902F6874	Vixen	7/20/2017 21:17:40	7/18/2017	8/10/2017	PA0002046875

37	5A06B4EA4DB48984499F2E9EA7213220E835089D	Blacked	6/16/2017 14:31:45	6/14/2017	7/7/2017	PA0002070824
38	5AA7FC6E46AEF9EC1227A939EADB3351AD495F12	Vixen	8/8/2017 23:27:09	8/7/2017	8/17/2017	PA0002077669
39	5C208E2ABF6083135CA52776A02D87442F215D60	Tushy	6/19/2017 18:46:28	6/15/2017	7/7/2017	PA0002070815
40	5F25F5C8970A1123950D8543F0C954308ECC9D12	Tushy	9/24/2017 16:04:53	9/23/2017	10/9/2017	PA0002086134
41	6503CB2EAECE7FA2F1D71B98E41D6D845BF7B794	Vixen	8/18/2017 16:01:01	8/17/2017	10/10/2017	PA0002086150
42	6960957E412263AA671D4F7A15737527D71A7C08	Tushy	9/8/2017 22:40:10	9/8/2017	9/15/2017	PA0002052841
43	69AC2D8751ABF0FED5C443A1CE77A7C7529B7AC9	Vixen	5/10/2017 8:28:53	5/9/2017	6/22/2017	PA0002039298
44	6A53ECB874B094837053EB7B7142560F0A85A9C2	Vixen	9/22/2017 9:04:25	9/21/2017	10/10/2017	PA0002086168
45	6B9175E9708A1BE765BBDC6582A68A12E44A33E3	Vixen	7/14/2017 21:54:24	7/13/2017	8/10/2017	PA0002046873
46	72F519FE9EED3C466979E55CFEBF253309A8106C	Vixen	5/16/2017 12:11:02	5/14/2017	6/22/2017	PA0002039297
47	74C66B184CB3F25F69326EF0C5529CDB680A8C47	Vixen	5/25/2017 3:53:11	5/24/2017	6/22/2017	PA0002039294
48	792198F0F41E1FFA44A67E62F451EC11B9B692EF	Vixen	8/1/2017 8:35:59	7/28/2017	8/10/2017	PA0002046871
49	7E4981D21DDD4B8D9EB5905B1B8A95461915A160	Blacked	8/24/2017 11:53:28	8/23/2017	10/10/2017	PA0002086163
50	82EC6E9F2A9287FD59C2B571FDC0CDED7EDDBB81	Blacked	7/5/2017 4:24:38	6/29/2017	7/7/2017	PA0002070821
51	8519F3BB18D38EB8472CD07987B1BC2224E7EC22	Vixen	11/9/2017 8:28:23	10/11/2017	10/19/2017	PA0002090452
52	88D30B83D9E749F514380A5F2E9C3E876CF55431	Tushy	8/10/2017 10:01:43	8/9/2017	8/17/2017	PA0002077673
53	8D906EA439B8BF052A8D68240F71C6D9ACE1E17A	Vixen	7/5/2017 15:34:08	7/3/2017	7/7/2017	PA0002070827
54	8F55C47AC0C8FED6F30E2C094965B3CF4749FA41	Vixen	9/20/2017 9:40:12	8/27/2017	9/15/2017	PA0002052843
55	921AED6337A58B159CFAF9DADDFE2D91CDFF8AB3	Tushy	8/12/2017 11:16:39	6/25/2017	7/7/2017	PA0002070817

56	94E00EDACF46F8763B4B28A29BEB83473AC2BA8E	Blacked	11/22/2017 11:18:15	11/21/2017	1/4/2018	PA0002069353
57	9B5E94F7A0C627798E8020DFAA9A28609D1AB82A	Tushy	7/20/2017 21:27:58	7/20/2017	8/11/2017	PA0002046869
58	9C80B087C925D30BA01F72FC0EABD8EAADF588A	Blacked	8/20/2017 9:20:56	8/18/2017	10/10/2017	PA0002086146
59	9D5513F0563852D9FB73EDC7D6318A6BB04334D9	Tushy	9/20/2017 11:43:04	9/18/2017	10/9/2017	PA0002086139
60	9E77DF7FCCB30D04DC6500C39CC3EF0AA2B48257	Blacked	9/6/2017 23:09:08	9/2/2017	9/15/2017	PA0002052847
61	ABC004062B9F9CF37E9A3A57F4BEA161154EECAE	Vixen	11/30/2017 20:59:54	9/26/2017	10/10/2017	PA0002085861
62	ABDFB02F5D20E29C32ABCE90A8478787DDA3C11D	Tushy	6/12/2017 17:58:55	6/10/2017	7/7/2017	PA0002074096
63	AE6A89DD0FB4978EAC561028F9FB06AA0A8D7E6A	Tushy	5/10/2017 9:29:30	5/1/2017	6/15/2017	PA0002037577
64	AFA4C44023577E2A90E1CFA8DB69A6F5D035B1D2	Blacked	9/8/2017 22:15:20	9/7/2017	9/15/2017	PA0002052840
65	B2EC2056C7699F25A118F23E36BB74FC7D3B7131	Vixen	7/9/2017 14:25:35	7/8/2017	8/17/2017	PA0002077664
66	B80F62F292E7B77184DC0BCF80ECE23CF7B23D15	Tushy	9/29/2017 10:28:52	9/28/2017	10/10/2017	PA0002086160
67	BA56E328AE2DBA8A20B327451656293E37FDAE35	Blacked	5/16/2017 12:04:06	5/15/2017	6/22/2017	PA0002039283
68	C496C2BFE4C6D994F43DC665F2CBEE16FE85777A	Tushy	6/6/2017 10:39:33	6/5/2017	7/7/2017	PA0002074097
69	C59734C1DC4D87F563ABE2D6E371C12FD12FC7D9	Blacked	11/2/2017 9:05:02	10/22/2017	11/21/2017	PA0002063627
70	C6965A70345AC1C86DD34737BF381734CA301655	Vixen	12/1/2017 12:28:34	10/1/2017	10/10/2017	PA0002086155
71	D2B9C8834073E3BF4B55F7BF45C7EA7BE5903569	Blacked	5/31/2017 11:36:18	5/30/2017	6/22/2017	PA0002039295
72	DB6040CB19308F376554AC18F5C883139311322D	Blacked	11/7/2017 1:43:58	9/17/2017	10/10/2017	PA0002086174
73	DCE0631B0833B899B8A4C577203A87AD00BD2B8B	Blacked	11/13/2017 1:30:20	11/11/2017	11/27/2017	PA0002098000
74	DCE1E033042DA8E7CFC7CEC42B7D21201BEDFD57	Tushy	7/5/2017 13:13:53	6/30/2017	7/7/2017	PA0002070818

75	E132114F31A37161B83D12BCE6320B65DE025C9B	Vixen	6/20/2017 1:02:34	6/18/2017	7/7/2017	PA0002070833
76	E1C14843DC58F3CB2CCB7383B242E4EE8D32363B	Tushy	8/1/2017 0:20:55	7/25/2017	8/11/2017	PA0002046870
77	E272AF63D15A4277BF857E93B225717C76F3DA9D	Tushy	5/15/2017 7:43:19	5/11/2017	6/22/2017	PA0002039286
78	E4BB4B0185636612E25A2955F474B4494789F63C	Blacked	10/12/2017 23:51:21	10/7/2017	10/19/2017	PA0002058300
79	E69BB37CE99BE570CC9EB659F45DDEF6E740E3BE	Blacked	8/14/2017 12:40:23	8/13/2017	8/17/2017	PA0002077675
80	E8910563DE2084C48C6A8C5801457339745A09FA	Vixen	5/31/2017 11:21:03	5/29/2017	6/22/2017	PA0002039292
81	EC31FAD9EF2492EACCD767B4A6E207BBF2765F0E	Blacked	9/13/2017 14:24:29	9/12/2017	9/15/2017	PA0002052846
82	F1132ADEB75DD2EA99B249DD70902C74E9DA7884	Tushy	9/3/2017 5:00:03	8/29/2017	10/10/2017	PA0002086144
83	F28E401CBB99CFB32E0808B7662BC50A9C5F64AD	Blacked	11/10/2017 0:59:33	9/22/2017	10/10/2017	PA0002057455
84	F8A92532C263D3E3497FF27A3FE569FF7BF15E37	Blacked	5/15/2017 6:09:04	4/25/2017	6/15/2017	PA0002037576
85	F8FEB2EE6C17B37610C5B2AE85F0266CB0C5C5BD	Blacked	7/5/2017 15:25:57	7/4/2017	7/7/2017	PA0002070819
86	FF7A5EE06C927438A3CAABC69D774D9CEACA8B9F	Tushy	7/17/2017 19:52:12	7/15/2017	8/11/2017	PA0002075050
87	FFD7D4C0A301487B3A11CBF1B3FC16410D42AEA0	Vixen	9/6/2017 23:08:24	9/6/2017	9/15/2017	PA0002052844

CERTIFICATE OF SERVICE

I, J. Curtis Edmondson, hereby certify that on March 15, 2019, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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Attorneys for Plaintiff Strike 3 Holdings LLC

By: /s/ J. Curtis Edmondson
J. Curtis Edmondson

— EXHIBIT 2 —

THE HONORABLE THOMAS S. ZILLY

U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

STRIKE 3 HOLDINGS, LLC, a Delaware
corporation,

Plaintiff,

vs.

JOHN DOE, subscriber assigned IP address
73.225.38.130,

Defendant.

NO. 2:17-cv-01731-TSZ

**DEFENDANT’S ANSWERS AND
OBJECTIONS TO PLAINTIFF’S
FIRST SET OF INTERROGATORIES**

JOHN DOE subscriber assigned IP
address 73.225.38.130,

Counterclaimant,

vs.

STRIKE 3 HOLDINGS, LLC,

Counterdefendant.

INTERROGATORY NO. 1:

State YOUR full name, address, phone number, and date of birth.

OBJECTION(S): No Objection.

ANSWER:

[REDACTED]

INTERROGATORY NO. 2:

IDENTIFY any courses, classes or certifications in school, college, or any other educational or instructional program that YOU have taken or attended to learn how to operate or program COMPUTER DEVICES and computer software.

OBJECTION(S): Defendant objects to the language “or any other educational or instructional program” as vague and overbroad, to the extent that it could include any user manual, web page, blog, etc, dealing with computer devices.

ANSWER:

Subject to and without waiving any objections, and with the understanding that this interrogatory refers to courses at colleges or schools, Defendant has taken Beginning Computer Science, Q Basic Programming, Computer Art, and Microsoft Excel.

INTERROGATORY NO. 3:

IDENTIFY by brand, trademark, model number, version, serial number and data storage capacity each of the COMPUTER DEVICES USED in your home from August 12, 2016 to present day.

OBJECTION(S): Defendant objects to this interrogatory as vague and overbroad, to the extent “COMPUTER DEVICES USED” could refer to any form of device with a microprocessor. This interrogatory is also overbroad as to time, as the complaint limits the period of infringement to 2017.

ANSWER:

Subject to and without waiving any objections, Plaintiff may inspect the computers and other electronic media as per FRCP 33 (d), after the parties have executed the WDWA Model ESI order, and the Plaintiff has provided relevant “search strings.” The devices are located at the Law Offices of J. Curtis Edmondson, 3699 NE John Olsen Ave, Hillsboro OR 97124. The computers are designated as defendant bates between sequence 10001 to 10199.

INTERROGATORY NO. 4:

IDENTIFY each PERSON YOU authorized to have access to any COMPUTER DEVICE identified in Interrogatory No. 3 from August 12, 2016 to present day and state the duration during which each such PERSON had access.

OBJECTION(S): Defendant objects to this interrogatory as irrelevant and overbroad as to time. The complaint alleges that all infringement occurred in 2017; Plaintiff's interrogatory is outside the period of alleged infringement. Defendant further objects to the term "authorize" as vague and ambiguous, and to the term "state the duration" as vexatious and burdensome as it is unreasonable to keep such records Defendant further objects that this interrogatory is irrelevant, as there is no claim of infringement pending against the Defendant or any third party. Finally, Defendant objects that revealing the identity of individuals with access would subject them to undue annoyance, is unlikely to lead to discoverable information, and will unreasonably invade their privacy. *See Rivera v. Nibco, Inc.*, 364 F.3d 1057, 1064 (9th Cir 2004) (denying discovery that would chill civil rights actions).

ANSWER:

Subject to and without waiving these objections, any person who came to Defendant's house during this time period was free to use any of the computers.

INTERROGATORY NO. 5:

IDENTIFY by brand, trademark, model number, version, serial number and by any other relevant form of identifier each wireless router and modem used in YOUR home during the PERIOD OF RECORDED INFRINGEMENT.

OBJECTION(S): Defendant objects to this interrogatory as more properly directed toward Xfinity, the person that provided any and all wireless routers or modems.

ANSWER:

Subject to and without waiving any objections, Defendant does not have the information requested, as Xfinity upgraded the modem/router used in his home since the time of the alleged infringement.

INTERROGATORY NO. 6:

IDENTIFY the time period during which the router(s) and modem(s) identified in Interrogatory No. 5 were password protected from August 12, 2016 to present day.

OBJECTION(S): Defendant objects to this interrogatory as more properly directed toward Xfinity, the person that provided any and all wireless routers or modems., Defendant

1 further objects to relevancy, in that August 12, 2016 precedes the date of any alleged
2 infringement.

3 **ANSWER:**

4 Subject to and without waiving any objections, *see* the Answer to Interrogatory No. 5.

5 **INTERROGATORY NO. 7:**

6 For each COMPUTER DEVICE, wireless router and modem identified above,
7 IDENTIFY the PERSON that installed it, connected it, or otherwise set it up, and each
8 PERSON that has controlled it after it was connected and set up.

9 **OBJECTION(S):** Defendant objects that Plaintiff has combined at least three
10 interrogatories into one and will therefore answer in multiple subparts. Defendant further
11 objects to the term the term “controlled it” as vague and ambiguous, to the extent it could
12 pertain to information held solely by third parties such as Comcast or Xfinity. Defendant further
13 objects to the interrogatory as overbroad as to time, rather than limited to the alleged period of
14 infringement. Defendant further objects that revealing the identity of these individuals would
15 subject them to undue annoyance and is unlikely to lead to discoverable information and will
16 unreasonably invade their privacy. *See Rivera v. Nibco, Inc.*, 364 F.3d 1057, 1064 (9th Cir
2004) (denying discovery that would chill civil rights actions).

17 **ANSWER:** Subject to and without waiving these objections:

18 7.1 Installed it

19 7.1.1 COMPUTER DEVICE. To the best of his knowledge and recollection,
20 Defendant installed all of the computer devices referenced in
21 Interrogatory 3.

22 7.1.2 Wireless Router: Defendant does not recall who installed any wireless
23 routers.

24 7.1.3 Modem: Defendant does not recall.

25 7.2 Connected it:

26 7.2.1 COMPUTER DEVICE. To the best of his knowledge and recollection,
Defendant connected all of the computer devices referenced in
Interrogatory 3.

1 7.2.2 Wireless Router: Defendant does not recall who connected any wireless
2 routers.

3 7.2.3 Modem: Defendant does not recall.

4 7.3 Otherwise Set it Up

5 7.3.1 COMPUTER DEVICE. To the best of his knowledge and recollection,
6 Defendant set up all of the computer devices referenced in Interrogatory
7 3.

8 7.3.2 Wireless Router: Defendant does not recall.

9 7.3.3 Modem: Defendant does not recall.

10 7.4 Controlled It:

11 Any person in Defendant's house, including Defendant. Defendant did
12 not keep a record of who "controlled it".

13 **INTERROGATORY NO. 8:**

14 IDENTIFY each PERSON YOU authorized to have access to your INTERNET
15 SERVICE between August 12, 2016 to December 9, 2017 and state the duration during which
16 each such PERSON had access.

17 **OBJECTION(S):** Defendant objects that this interrogatory is irrelevant, as Plaintiff has
18 no pending claims against Defendant. Defendant further objects that this interrogatory is unduly
19 burdensome and overbroad to the extent it asks Defendant to identify every person who visited
20 his home without any limits on time. Defendant further objects that revealing the identity of
21 these individuals would subject them to undue annoyance and is unlikely to lead to discoverable
22 information and will unreasonably invade their privacy. *See Rivera v. Nibco, Inc.*, 364 F.3d
23 1057, 1064 (9th Cir 2004) (denying discovery that would chill civil rights actions).

24 **ANSWER:**

25 Subject to and without waiving these objections: Anyone who came to Defendant's
26 house could use the INTERNET SERVICE.

INTERROGATORY NO. 9:

IDENTIFY each PERSON who was residing in or routinely visiting YOUR home
during the PERIOD OF RECORDED INFRINGEMENT, and state whether each such PERSON

1 had access to the COMPUTER DEVICE(s) (identified in Interrogatory Nos. 3) or INTERNET
2 SERVICE.

3 **OBJECTION(S):** Defendant objects to the terms “residing” or “routinely visiting”
4 vague and ambiguous. Defendant further objects that this interrogatory is irrelevant, as Plaintiff
5 has no pending claims against Defendant. Defendant further objects that this interrogatory is
6 unduly burdensome and overbroad to the extent it asks Defendant to identify every person who
7 visited his home during the alleged period of infringement. Defendant further objects that
8 revealing the identity of these individuals would subject them to undue annoyance and is
9 unlikely to lead to discoverable information and will unreasonably invade their privacy. *See*
10 *Rivera v. Nibco, Inc.*, 364 F.3d 1057, 1064 (9th Cir 2004) (denying discovery that would chill
11 civil rights actions).

12 **ANSWER:**

13 Subject to and without waiving these objections: Anyone who came to Defendant’s
14 house could use the COMPUTER DEVICES or INTERNET SERVICE.

15 **INTERROGATORY NO. 10:**

16 For each PERSON identified in Interrogatory Nos. 4, 8, and 9, state his or her age or
17 approximate age.

18 **OBJECTION(S):** Defendant objects to this interrogatory as irrelevant.

19 **ANSWER:**

20 Subject to these objections: Defendant is in his 70’s.

21 **INTERROGATORY NO. 11:**

22 IDENTIFY any CLOUD BASED STORAGE SYSTEM YOU used in YOUR home
23 between August 12, 2016 and December 9, 2017.

24 **OBJECTION(S):** Defendant objects to this interrogatory as irrelevant since Plaintiff
25 has no pending claims of copyright infringement in this case. Defendant further objects that the
26 interrogatory is overbroad, unduly burdensome, and irrelevant because it does not limit the time
period to the alleged period of infringement.

ANSWER:

Subject to and without waiving any objections: Not applicable.

INTERROGATORY NO. 12:

IDENTIFY any COMMUNICATIONS YOU have received from YOUR ISP regarding notices of alleged copyright infringement emanating from YOUR INTERNET SERVICE.

OBJECTION(S): Defendant objects to this interrogatory as irrelevant since Plaintiff has no pending claims of copyright infringement in this case. Defendant further objects that the interrogatory is overbroad, unduly burdensome, and irrelevant because it does not limit the time period to the alleged period of infringement.,

ANSWER:

Subject to and without waiving any objections, Defendant received one notice from Comcast between 2013 and 2015.

INTERROGATORY NO. 13:

Have YOU ever USED or installed any PEER-TO-PEER SOFTWARE or BITTORRENT client on any of the COMPUTER DEVICES identified in Interrogatory No. 3. If so, IDENTIFY the PEER-TO-PEER SOFTWARE or BITTORRENT client which was USED or installed.

OBJECTION(S): Defendant objects to this interrogatory as irrelevant since Plaintiff has no pending claims of copyright infringement in this case. Defendant further objects that the interrogatory is overbroad and unduly burdensome because it does not limit the time period to the alleged period of infringement.

ANSWER:

Subject to and without waiving any objections: Yes. Many years ago, Defendant installed and used uTorrent on his computer.

INTERROGATORY NO. 14:

Have YOU ever downloaded a computer FILE using BITTORRENT or any PEER-TO-PEER SOFTWARE. If so, identify each computer FILE YOU downloaded.

OBJECTION(S): Defendant objects to this interrogatory as irrelevant since Plaintiff has no pending claims of copyright infringement in this case, and to the extent that Defendant may have downloaded files that are not owned by the Plaintiff. Defendant further objects that

1 the interrogatory is overbroad and unduly burdensome because it asks Defendant to identify
2 each file downloaded irrespective of time.

3 **ANSWER:**

4 Subject to and without waiving these objections: Yes, but Defendant does not know the
5 names of the files downloaded.

6 **INTERROGATORY NO. 15:**

7 IDENTIFY any ANTI-COMPUTER FORENSIC SOFTWARE and USER
8 ANONYMITY SOFTWARE which was installed between August 12, 2016 to present day on
9 each of YOUR COMPUTER DEVICE(s) identified in Interrogatory Nos. 3.

10 **OBJECTION(S):** Defendant objects to this interrogatory as irrelevant since Plaintiff
11 has no pending claims of copyright infringement in this case. Defendant further objects to this
12 interrogatory as vague and ambiguous as to the term “ANTI-COMPUTER FORENSIC
13 SOFTWARE,” which would include, by definition, the Windows Operating System “delete”
14 function as it will erase a file; as would any third party application that manipulates or deletes a
15 file; and “USER ANONYMITY SOFTWARE,” which has a definition that makes no sense in
the computer industry - mask, switch, or hide an IP address or e-mail address.

16 **ANSWER:**

17 Subject to and without waiving any objections, to the extent that ANTI-COMPUTER
18 FORENSIC SOFTWARE includes the Windows delete function: Yes. Based on Plaintiff’s
19 definition of USER ANONYMITY SOFTWARE, Defendant is unable to answer.

20 **INTERROGATORY NO. 16:**

21 IDENTIFY each instance YOU searched on the Internet for PLAINTIFF’S WORKS
22 using any of the COMPUTER DEVICES identified in Interrogatory No. 3.

23 **OBJECTION(S):** Defendant objects to this interrogatory as to relevancy, since
24 Plaintiff has dismissed any and all claims that alleged Defendant is responsible for infringing
25 Plaintiff’s Works. Defendant further objects to the extent that evidence of computer searches
would disclosed privileged issues, including the research Defendant used to retain counsel.

26 **ANSWER:**

1 Subject to and without waiving these objections, when Defendant received the subpoena
2 from Comcast, he searched for Plaintiff's name.

3
4 **INTERROGATORY NO. 17:**

5 Did you use a BITTORRENT client or PEER-TO-PEER SOFTWARE to download any
6 of PLAINTIFF'S WORKS?

7 **ANSWER:**

8 No.

9 **INTERROGATORY NO. 18:**

10 Do you know who used a BITTORRENT client or PEER-TO-PEER SOFTWARE to
11 download any of PLAINTIFF'S WORKS via IP address 73.225.38.130? If so, who?

12 **OBJECTION(S):** Defendant objects to this interrogatory to the extent it assumes facts
13 in not in evidence as to the ultimate issue — that any of Plaintiff's Works were actually
14 downloaded via IP address 73.225.38.130, let alone that Defendant knows the IP address.

15 **ANSWER:**

16 Subject to and without waiving these objections: No.

17 **INTERROGATORY NO. 19:**

18 Have YOU ever posted a comment(s) on the uTorrent forum website
19 [<https://forum.utorrent.com>]? If so, please identify each instance where you posted a comment.

20 **OBJECTION(S):** Defendant objects to this interrogatory because it exceeds the
21 limitations contained in Fed. R. Civ. P. 33(a)(1). Defendant further objects that this
22 interrogatory is irrelevant; the postings referenced are not related to claims or defenses in this
23 case, were made years prior to this litigation, and are unrelated to Plaintiff's pornographic
24 works.

25 **ANSWER:**

26 Subject to and without waiving any objections: Yes.

INTERROGATORY NO. 20:

1 Have YOU ever posted a comment(s) on the Apple forum website
2 [https://discussions.apple.com]? If so, please identify each instance where you posted a
3 comment.

4 **OBJECTION(S):** Defendant objects to this interrogatory because it exceeds the
5 limitations contained in Fed. R. Civ. P. 33(a)(1). Defendant further objects that this
6 interrogatory is irrelevant; the postings referenced are not related to claims or defenses in this
7 case, were made years prior to this litigation, and are unrelated to Plaintiff's pornographic
8 works.

9 **ANSWER:**

10 Subject to and without waiving any objections: Yes.

11 **INTERROGATORY NO. 21:**

12 Have YOU ever posted a comment(s) on the Seven Forums website
13 [https://sevenforums.com]? If so, please identify each instance where you posted a comment.

14 **OBJECTION(S):** Defendant objects to this interrogatory because it exceeds the
15 limitations contained in Fed. R. Civ. P. 33(a)(1). Defendant further objects that this
16 interrogatory is irrelevant; the postings referenced are not related to claims or defenses in this
17 case, were made years prior to this litigation, and are unrelated to Plaintiff's pornographic
18 works.

19 **ANSWER:**

20 Subject to and without waiving any objections: Yes

21 **INTERROGATORY NO. 22:**

22 Have YOU ever posted a comment(s) on the CD Burner XP forum website
23 [https://forum.cdburnerxp.se]? If so, please identify each instance where you posted a
24 comment.

25 **OBJECTION(S):** Defendant objects to this interrogatory because its exceeds the
26 limitations contained in Fed. R. Civ. P. 33(a)(1). Defendant further objects that this
interrogatory is irrelevant; the postings referenced are not related to claims or defenses in this
case, were made years prior to this litigation, and are unrelated to Plaintiff's pornographic
works.

ANSWER:

Subject to and without waiving any objections: Yes.

INTERROGATORY NO. 23:

Have YOU ever posted a comment(s) on the website <http://laptoplabclt.blogspot.com>?

If so, please identify each instance where you posted a comment.

OBJECTION(S): Defendant objects to this interrogatory because it exceeds the limitations contained in Fed. R. Civ. P. 33(a)(1). Defendant further objects that this interrogatory is irrelevant; the postings referenced are not related to claims or defenses in this case, were made years prior to this litigation, and are unrelated to Plaintiff's pornographic works.

ANSWER:

Subject to and without waiving any objections, Defendant does not remember ever posting comments on <https://www.eehelp.com>, but could answer definitively if shown a document reflecting any such post.

INTERROGATORY NO. 24:

Have YOU ever posted a comment(s) on the website <https://www.eehelp.com>? If so, please identify each instance where you posted a comment.

OBJECTION(S): Defendant objects to this interrogatory because its exceeds the limitations contained in Fed. R. Civ. P. 33(a)(1). Defendant further objects that this interrogatory is irrelevant; the postings referenced are not related to claims or defenses in this case, were made years prior to this litigation, and are unrelated to Plaintiff's pornographic works.

ANSWER:

Subject to and without waiving any objections, Defendant does not remember ever posting comments on <https://www.eehelp.com>, but could answer definitively if shown a document reflecting any such post.

INTERROGATORY NO. 25:

Have YOU ever posted a comment(s) on the website <https://www.techrepublic.com/forums/>? If so, please identify each instance where you posted a comment.

OBJECTION(S): Defendant objects to this interrogatory because it exceeds the limitations contained in Fed. R. Civ. P. 33(a)(1). Defendant further objects that this interrogatory is irrelevant; the postings referenced are not related to claims or defenses in this case, were made years prior to this litigation, and are unrelated to Plaintiff's pornographic works.

ANSWER: Subject to and without waiving any objections, Defendant does not remember ever posting comments on <https://www.techrepublic.com/forums/>, but could answer definitively if shown a document reflecting any such post.

As to Answers Only:

By: /s/ John Doe
Party

As to Objections Only:

Respectfully submitted on March 18, 2019

By: /s/ J. Curtis Edmondson
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Hillsboro, Oregon 97124
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Email: jcedmondson@edmolaw.com
Attorney for Defendant

CERTIFICATION OF ATTORNEY

I am one of the attorneys for Defendant [REDACTED] in this matter. I hereby certify that I have read the foregoing Defendant's Responses and Objections to Plaintiff's First Set of Interrogatories, and believe that the same are in compliance with Federal Rule of Civil Procedure 26(g).

DATED this 18th day of March, 2019.

By: /s/ J. Curtis Edmondson
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Telephone: (503) 336-3749
Email: jcedmondson@edmolaw.com
Attorney for Defendant

VERIFICATION

I, [REDACTED], declare as follows: I am the Defendant in this action. I have read the within and foregoing Defendant's Answers and Objections to Plaintiff's First Set of Interrogatories and know its contents. I am informed and believe, and on that ground allege, that the matters stated in the foregoing document are true.

Dated at Auburn, Washington, this _____ day of March, 2019.

[REDACTED] _____

CERTIFICATE OF SERVICE

I, J. Curtis Edmondson, hereby certify that on March 18, 2019, I electronically transmitted the foregoing to the following:

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DATED this 18th day of March, 2019.

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